DECLARATORY IMPROVEMENT Res. No.

1210-1968

For the Vacation of Ewing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River.

Resolution Adopted: Feb. 5, 1968
Confirmed: March 7, 1968
Bids Received:
Contract Awarded:
Contract and Bond:
Contractor:
Reported Completed:
Assessment Roll Confirmed:
May 2, 1968

DECLARATORY RESOLUTION NO. 1210-1968

For the Vacation of Ewing Street as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River.

PLANS ORDERED:

ADOPTED:

Feb. 5, 1968

ADVERTISE NOTICE TO PROPERTY OWNERS: Feb. 9 & 16, 1968 Notices mailed Feb. 23, 1968

HEARING ON CONFIRMATION:

Thurs., March 7, 1968, 3:30 p. m.

CONFIRMED:

March 7, 1968

ASSESSMENT ROLL ORDERED:

March 7, 1968

ASSESSMENT ROLL APPROVED:

April 17, 1968

HEARING ON CONFIRMATION

OF ASSESSMENT ROLL:

Thurs., May 2, 1968, 3:30 p. m.

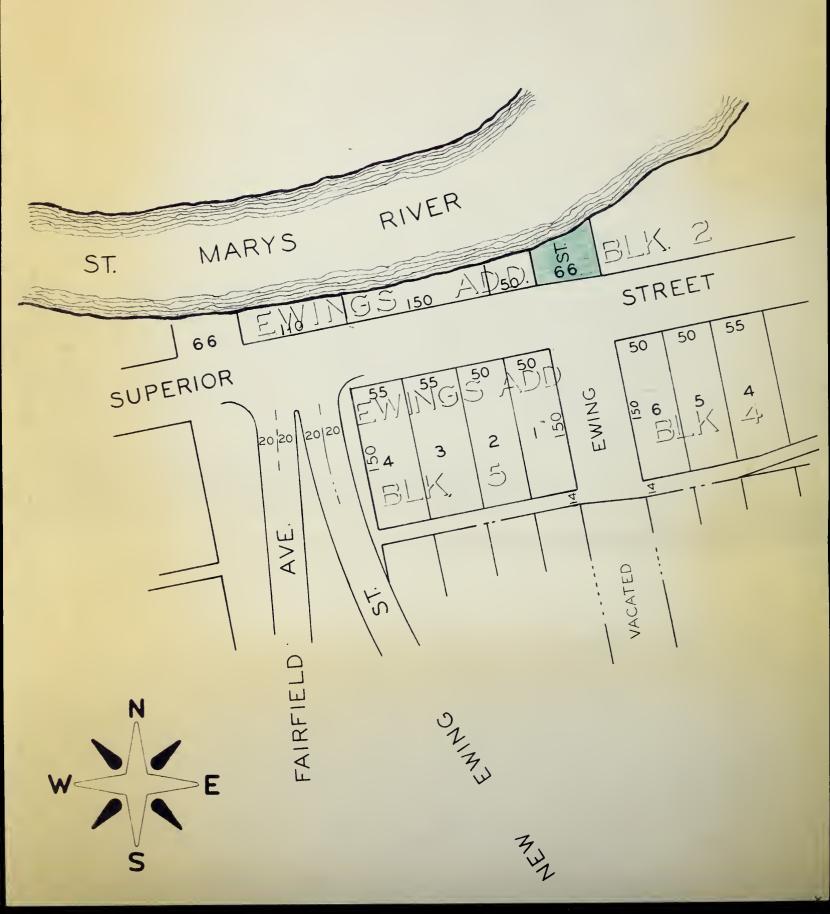
NOTICE SERVED:

April 17, 1968

ASSESSMENT ROLL CONFIRMED: May 2, 1968

DECLARATORY RESOLUTION No. 1210 19 68

For the Vacation Opening Condemnation of right of may for utility purposes, of Ewing Street,
as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River.
Superior Street to its northern terminus at the St. Mary 3 Miver.
Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Ewing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River.
All as shown by a plan of such proposed Vacation—Creming—Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana
The cost of said Vacation — Opening — Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.
The property which may be injuriously or beneficially affected by such Vacation — Opening Condensation of right of way for utility purposes is described as follows: West 55 feet of Block No. 2, east of Ewing Street as originally platted, in Ewing's Addition; also the east 50 feet of Block No. 2, west of Ewing Street as originally platted, in Ewing's Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.
All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.
Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.
The vacation of the above described shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public dilities from construction and maintenance of sewers, protection and maintenance of sewers, protection and telegraph pole lines and conduits.
All Streets, lots and lands affected by the above described <u>vacation</u> are situated in the southwest quarter of Section Two, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.
ADOPTED THIS 5 DAY OF Throng 1968 Beccard
Attest: Secretary Board of Public Works. Collect We Dahman
Board of Public Works.



OFFICE OF BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

51-289-3

Date _____March 7, 1968

B.O. 169-167

City Engineer

Subject Dec. Res. 1210-1968 Ewing Street

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman Robert W. Dahman George F. Gable BOARD OF PUBLIC WORKS

ic attach P. O. List & Reso.



Signed

Reply:

April 10, 1968

Assessment Roll of Benefits and Damages completed and attached.

Walter H. Meitz City Engineer

DEB:1c attachs.



OFFICE OF BOARD OF PUBLIC WORKS



FORT WAYNE 2. INDIANA

51-219-5

B.	0.	169-	167
J	\sim •		

City Engineer

VACATION - Ewing Street

Date Dec. 14 1967

F.3.E.

R.W.D

G.F.G.

Received a petition for the vacation of Ewing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic attach copy of petition

Signed _ Reply:

To

Subject_

January 30, 1968

1210

Declaratory Resolution, drawing and property ownership completed and attached.

This request has the approval of both the Plan Commission and Traffic Engineer. City Light is the only utility requiring an easement in connection with the vacation. A copy of their recorded grant is attached.

Mr. Charles Jacobs is anxious to start constructing a building at this location. Since the only two property owners involved favor the vacation, and the City has no apparent objection, we suggest you furnish Mr. Jacobs with a letter of tentative approval.

Walter H. Meitz

City Engineer

DEB:1c attachs.



February 5, 1968 Mr. Charles P. Jacobs 326 W. Superior Street Fort Wayne, Indiana Dear Sir: This has reference to Declaratory Resolution No. 1210-1968, which provides for the vacation of Ewing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River. The above described Resolution is being adopted today by the Board of Public Works and we must necessarily follow the legal procedures before it can be confirmed and officially recorded by the Abstract companies. Pursuant to the required easement already granted and recorded and that the only other property owner involved favors the vacation, the Board of Public Works does hereby grant permission for you to proceed with whatever improvement you propose for the area, including your half of the street in question. We understand you propose building on the lot to the east of the proposed vacated street and that said building will extend into the street approximately 20 feet. When this vacation is final, you will receive 33 feet of the 66' street. Since we know there can be no objection to said vacation, you may use this letter as authority to apply for whatever permits are necessary in regard to the improvements you propose. Poles The Da Lougare KM:ms BOARD OF PUBLIC WORKS cc: Don Bodeker

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

	Fort Wayne, Indiana,	Feb. 23.	1968
1210			
Го		••••••	
	t the Board of Public Works, 1210-1968		
Declaratory pass Improvement Resolution No providing for the vacation of rom the north property lin	Ewing Street, as original e of Superior Street to	ly platted its northern	in Ewing's Addition, terminus at the St.
ary's River.			

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed. Thursday. March 7, 1968 at 3:30 pm in Conference Room 102 a date and time when they will hear and consider objections or remonstrances from all persons whose properly will be affected by the proposed improvement.

You are hereby notified that

Ewing's Addition

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

Book 1 Page 179 RETURN TO ELECTRICAL ENGINEERING CITY UTILITIES 308 E. BERRY STREET FORT WAYNE, INDIANA

DISTRICT NO JULY ENTERED FOR TAXATION (45)

JAN 2 2 1968

1.10-11

GRANT OF EASEMENT AUDITOR OF ! COUNTY
This indenture witnesseth that Charles P. Jacobs, 524 Lillian Street
owner_of lot number West 55 ft., Blk (2) East of Ewing St., as originally
platted, in Ewing's Add. to the City of Fort Wayne, Allen County, Indiana,
do hereby grant a 3 fteasement in and over said above
lot for the installation and maintenance of overhead street lighting wires
for the City Utilities and City of Fort Wayne, Indiana, and described as
follows, to-wit:
Starting at a point on the Southwest corner of the above mentioned lot, proceed in a Northerly direction along the West property line for a distance to the edge of the river to the North property line; thence, in an Easterly direction along the North property line for a distance of 3 feet; thence, in a Southerly direction along a line, parallel to the West property line for a distance to Superior Street to the South property line; thence, in a Westerly direction along the South property line for a distance of 3 feet and to the point of starting.
In Witness Whereof, the grantor hereunto set their hand and seal this day of day of 1968
Charles & Saints
State of Indiana ((SS) County of Allen (
Before me a Notary Public in and for said State and County person with
appeared live of the grant of easement as their delicatory and acknowledged the execution of the grant of easement as their delicatory act and deed. The grantor certify under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this easement.
NOTARY PUBLIC, ALLEN COUNTY, INDIANA,

MY COMMISSION EXPIRES

instrument A ____

1210

Prepared by: J. Rupley





TO	Donald E. Bodeker, Office Manager	FROM_	Seward E. Cro	os s	
	City Engineering		Director, Tra	affic Engineering	
SUBJEC	TVacation request				
FOLD		MESSAGI		DATE_January_	11,19_68
	I see no reason that Ewing St	reet shoul	d not be vacat	ed between	
	Superior St. and the Saint Mary's	River.			
	SEC/jn		ŗ		
FOLD			SIGNED_	feward E.	Loss.
		REPLY		DATE	19
,					
FOLD					
				12	10
			SIGNED		

City of Fort Wagne FORT WAYNE, INDIANA ENGINEERING DEPARTMENT 425 SOUTH CALHOUN STREET January 9, 1968 Northern Indiana Public Service Company Indiana & Michigan Electric Company General Telephone Company of Indiana We have received a petition to vacate the following: Ewing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River. Please check your easement requirements on the enclosed post card and return to us as soon as possible. Very truly yours, Donald E. Bodeker Donald E. Bodeker Office Manager DEB:1c

attach.

cc: Board of Public Works (Board Order 169-'67)

January 9, 1968 William J. Jones Planning Director Seward Cross Traffic Engineer Please submit your opinion and recommendation on the following proposed vacation: Ewing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River. Donald E. Bodeker Donald E. Bodeker Office Manager DEB:1c attach. cc: Board of Public Works (Board Order 169-'67)

51-219-5 B.O. 169-167 Dec. 14, 1967 City Engineer VACATION - Ewing Street Received a petition for the vacation of Ewing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River. Prepare an opinion, after conferring with all Governmental Agencies and Utilities. Fred S. Ehrman Robert W. Dahman George F. Gable BOARD OF PUBLIC WORKS attach copy of petition

0 169

at the St. Mary's River.

PETITION



Fort Wayne, Indiana, November 9, 1967

to: c mayney masanay	10000111001
City Plan Commission of the City of Fort Wayne:	NOTED
Gentlemen:	F.S.E. R.W.D.
	R.W.D.
The undersigned, owners of real estate on	G.F.G.
,	Date
to	
respectfully petition for passage of a resolution prov	iding for the
vacation of Ewing Street, as originally platted in Ewin	ng's Addition,

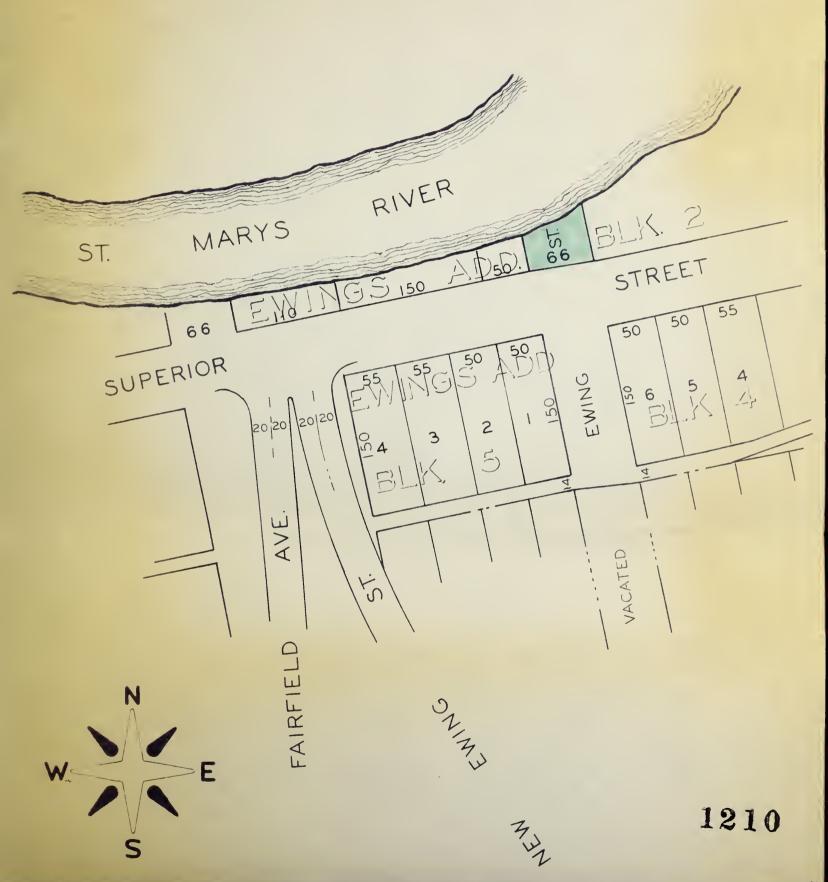
Ray E. Sanderson, 4205 Philip Way, Fort Wayne, Indiana, Petitioner Owner of adjacent Lot #10 east 50 feet west of Ewing Street in Ewing's Addition Out Lot #6 or 406 West Superior Street, Fort Wayne, Indiana.

from the north property line of Superior Street to its northern terminus

Charles P. Jacobs, 524 Lillian Street, Fort Wayne, Indiana, Petitioner Owner of adjacent Lot #11 west 55 feet east of Ewing Street in Ewing's Addition Out Lot #2 or 332 West Superior Street, Fort Wayne, Indiana.

Las Esperderen, 4205 Phlys Hoy, It Hayry And Charles I Jacaka 524 hilliam 8h Cety

PORTION OF STREET TO BE VACATED



3ill No. G-67-12-21

GENERAL ORDINANCE NO. G-03-68

Res. 1210

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Ewing Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The following Resolution of the City Plan Commission, to-wit:

"WHEREAS, Ray E. Sanderson and Charles Jacobs, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street and alley in Allen County, Indiana, to-wit:

 $E_{\rm W}$ ing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. 8 53-744 (Burns 1964 Repl. Ed.): and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on November 27, 1967 at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved; and $_{9}$

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana."

duly adopted on November 27, 1967, following a public hearing thereon after first giving notice thereof all pursuant to Section 44 of Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Section 53-744 Burns Ind. Statutes Ann., 1964 Repl.) is hereby approved and the recommendations made by said Commission are now accepted.

SECTION 2. Vacation of the street described in said Resolution in any manner provided by law is hereby authorized and approved.

SECTION 3. Upon such vacation the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, is hereby amended accordingly.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Phil A. Steigerwald

hil A. Steigerwald Councilman Read the third time in full and on motion by Steigerwald seconded by Tipton and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Adams, Dunifon, Fay, Geake, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.

Nays none

Date: 1-23-68.

Fuad G. Bonahoom City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-03-68 on the 23rd day of January, 1968.

ATTEST:

(SEAL)

Fuad G. Bonahoom City Clerk Jack K. Dunifon
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1968 at the hour of 10:00 o'clock A.M., E.S.T.

Fuad G. Bonahoom City Clerk

Approved and signed by me this 25th day of January, 1968, at the hour of 2:37 o'clock P.M., E.S.T.

Harold S, Zeis Mayor.

Bill No. S-68-01-01

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving an Agreement between the City of Fort Wayne, Indiana, and STRAUSS ASSOCIATES, INC. in connection with the City-County Building, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

John Nuckols John H. Robinson Celia Ann Fay Edwin J. Rousseau William K. Geake

Concurred in 1-23-68.

Fuad G. Bonahoom City Clerk

Bill No. S-68-01-01

SPECIAL ORDINANCE NO. S-04-68 /

AN ORDINANCE approving an Agreement between the City of Fort Wayne, Indiana, and Strauss Associates, Inc. in connection with the City-County Building.

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 5th day of February, 1968 the said Board deeming it necessary to make certain improvements adopted the following:

LOCAL SEWER IMPROVEMENT RESOLUTION NO. 800-1968

Resolved by the Board of Public Works of the City of Fort Wayne, State of Indiana, that the construction of a local sewer, intended and adopted only for local use by the property holders whose property abuts thereon, and not intended or adapted for receiving sewage from collateral drains, be and the same is hereby ordered. MAIN SEWER: Beginning at an existing manhole located on the South side of Fernhill Avenue and 685 + or - feet east of Dusing Avenue; thence north across Fernhill Avenue a distance of 43 + or - feet to a proposed manhole; thence westerly in and along a proposed easement on the north side of Fernhill Avenue a distance of 517 + or - 1.f. to a proposed manhole in the alley east of Dusing Avenue; thence northerly in and along said alley a distance of 174 + or - 1.f. to a proposed manhole; thence west in and along a public alley a distance of 375 + or - 1.f. to a proposed manhole; thence northerly a distance of 661 + or - 1.f. to a proposed manhole on the south side of Rathert Lane; thence west in and along Rathert Lane a distance of 268 + or - 1.f. to a proposed manhole; thence a distance of 268 + or - 1.f. to a proposed manhole; thence southerly a distance of 134 + or - 1.f. to a proposed manhole; thence southerly a distance of 134 + or - 1.f. to a proposed manhole; thence southerly a distance of 134 + or - 1.f., terminating at a proposed manhole. Said sewer shall be 8 and 10 inches in diameter, and said sewer, with all its appurtenances, shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said city.

improvement shall be apportioned against and The cost of said cost of said improvement shall be apportioned against and paid by property holders whose property abuts thereon, and upon the City of t Wayne, Indiana, if the city is benefited by said improvement, all ording to the method and manner provided for in an Act of the General embly of the State of Indiana, entitled, "An Act Concerning Municipal porations," approved March 6, 1905, and the provisions of all Acts indiatory thereto and supplemental thereof. according Assembly of t Corporations,

SEWER PASIMENT RESOLUTION NO. 30-1968

For the Condemnation of a Permanent and a Temporary right of way for Sewer Easement purposes across, through and under a portion of lots numbered 3 and 4 in Rahdert's Subdivision; and lots numbered 4, 5 and in Fernhill Place Addition; also lots numbered 1, 2 and 3 in Fernhill Place Addition, more particularly described as follows:

PERMANENT FASHMENT: The west 14 feet of the north 25 feet of lot numbered 4 in Rulliert's Subdivision. Also, the south 39 feet of lots numbered 4 and 5, Fernhill Place Addition. Also, the north 14 feet of lots numbered 3, Fernhill Place Addition. Also, the west 14 feet of lots numbered 3, Fernhill Place Amended Addition. Also, the west 14 feet of lots numbered 3 and 2, Fernhill Place Amended Addition. Also, the west 14 feet of the north 64 feet of tot numbered 1, Fernhill Place Amended Addition. Also, the west 14 feet of the west 200 feet of the south 200 feet of the north 484 feet of lot numbered 1, Fernhill Place Addition. TPMPOARNY EMSEMINT: The cast 10 feet of the west 24 feet of the north 25 feet of lot numbered 4 in Rahdert's Subdivision. Also, the north 10 feet of the couth 44 feet of lot numbered 4 and 5 in Fernhill Place Addition. Also, the couth 10 feet of the north 24 feet and the cast 10 feet of the west 24 feet of lot numbered 3 in Fernhill Place Addition. Also, the couth 10 feet of the north 24 feet and the cast 10 feet of the west 24 feet of lot numbered 2 in Fernhill Place Amended Addition. Also, the cast 10 feet of the west 24 feet of the morth 26 feet of the west 24 feet of the may be 10 feet of the west 24 feet of the north 11 fernhill Amented Addition. Also, the cast 10 feet of the west 24 feet of the west 24 feet of the south 200 feet of the north 484 feet of lot numbered 1, Frnhill Place Addition.

All according to the method and manner provided for in an Act of the General we cally of the State of Indiana, entitled "An Act Communication to I serve the provided the provided of the Communication of the Communicatio All according

DECLARATORY RESOLUTION NO. 1310-1968

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Ewing Street, as originally platted in Ewing's Addition, from the north property line of Superior Street to its northern terminus at the St. Mary's River.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficaffected

The Board of Public Works has fixed Thursday, the 7th of March, 1968 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking 3:30 p.m., the Board final action thereon. taking

FRED S. EHRMAN
ROBERT W. DAHMAN
GEO. F. GABLE
BOARD OF PUBLIC WORKS

ATTEST: Kenneth McGraw, Clerk PUBLISH: Feb. 9 & 16, 1968.

Improvement Resolution No. 1210-1968 For THE VACATION OF EWING STREET, AS ORIGINALLY PLATTED IN

EWING'S ADDITION, FROM THE NORTH PROPERTY LINE OF SUPERIOR STREET TO ITS NORTHERN TERMINUS AT THE ST. MARY'S

•				RIVE
	OWNER'S NAME	ADDRESS	NUMBER OF LOT BLOCK O. L.	DESCRIPTION
1 1	JACOBS, CHARLES P. SANDERSON, RAY E.	524 Lillan St. 4205 Philye Way	W. 55' BLOCK Z, E. OFEWING ST., AS ORICIMALLY FLATTED	EWING'S ADDITION
3				
4 02	SANDERSON, RAY E.	\$205 Philye Way	E. SO'BLOCK 2, W. of EWING ST., AS OXYCHMALY PLATTED	//
5 6			ST., AS OXICINALLY TRATTED	
7				
8				
9				
11				
12				
14				
15				
16				
18				
. 19				
21				
22				
23 24				
25				
26 27				
28				
29 30				
31				
32				
33				
35				
36 37				
38				
39				
40 41				
42				
43 44				
45				
46				
48				
49				
50 51				
52				
53 54				
55				
56 57				
58				
59				
60 61				
62	NOTICES AND THE STORY			
63 64	Feb. 23, 1948.			
65	V. Deryl Kethereg			
		TOTAL		

